

Legislators take wait-and-see approach on high court penalty

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Sen. Jim Honeyford

The state Supreme Court's decision last week to fine the state \$100,000 a day because it feels there is lack of progress on funding basic education isn't finding many friends in the Lower Valley.

In fact, Sen. Jim Honeyford hopes the state's attorney general appeals the court ruling.

"They should (appeal), it's a separation of powers issue," says Honeyford (R-Sunnyside).

"It's essentially an appropriation of the general fund...people I've talked to want to challenge this."

Rep. Bruce Chandler doesn't like the court's action either...but says an appeal is unlikely.

"The attorney general doesn't have anywhere to go to challenge it...that, too, is one of the frustrations people have," says Chandler (R-Granger).

Rep. David Taylor has one idea to pinch the court.

You look at that amount - \$100,000 a day - that's a drop in the bucket in the overall sense of a \$35 billion state budget.

-State Sen. Jim Honeyford

"As for the fine itself, the legislature will have to determine where in the operating budget would be appropriate to take the funds from," says Taylor (R-Moxee). "One area of the budget that could certainly be considered is the Supreme Court's budget itself."



Rep. Bruce Chandler

Taylor adds, "The court has levied a fine, but what happens if the legislature refuses to appropriate funds to pay it?"

Paula Greene is president of the Sunnyside Education Association, and while she likes the court getting after lawmakers on school funding...she feels the fine should have been more.

"I think the court's decision is great...but it's only costing the state \$100,000 a day...legislators can sit on it for however long they want," says Greene, a teacher at Sunnyside High School.

Honeyford, a retired educator, concedes, "You look at that amount...\$100,000 a day...that's a drop in the bucket in the overall sense of a \$35 billion state budget."

"It would have been nice to have the fine be a little bit higher," Greene adds.

She claims teachers with 17 years and more of experience haven't seen a pay raise – cost of living allowance or otherwise – in seven years.



Rep. David Taylor

In the biennial budget lawmakers approved earlier this summer, a 3 percent cost of living adjustment was provided for teachers.

But that's not enough, says Greene, given how long many teachers have gone without a pay bump.

"Medical has gone up...the cost of living has gone up," Greene says. "There are teachers who are taking on a second and third job to make ends meet. People lose sight of how much time a teacher puts in a work day during the school year."

The first step towards addressing the court's ruling took place earlier this week when Gov. Jay Inslee met with legislative leaders from the state House and Senate.

While the previous legislative session made gains in funding education, Inslee says the court's finding makes it clear the work is not done.

All three local lawmakers say it's unlikely a special session will be called right away to get that work done. Rather, party leaders in Olympia will work out a plan...then call a session if needed.

Chandler's concern is that the court, in his mind, is sending mixed signals to the legislature through its original McCleary ruling back in 2012 – which found the state was not meeting its constitutional duty to fund basic education – and last week's action that discussed teacher pay.

“Every decision they (Supreme Court justices) are making now changes the expectations and the concerns,” contends Chandler. “In 2012 the court was concerned with the imbalance of using local levy dollars to pay for basic education...in its latest (finding) they are including teacher salaries.

“I’m concerned more than anything the court is creating a distraction that makes it more difficult to make progress,” Chandler says.

Honeyford adds, “Right now they seem to have lost track of the original decision. They (justices) put themselves in a box and now they’re trying to get out of it.”

And building on progress made in education funding in the recent legislative session has complications.

Chandler says House Republicans don’t want to implement new spending unless it has sustainable funding. “There’s no sense in a large spending increase and having to suspend or reduce it two years later,” he says.

Efforts at levy reform, too, is at a stalemate.

A bi-partisan committee in the legislature has worked for two years on a fix that would pull the burden of funding basic education costs away from local school districts and instead have it paid through the state.

But all 295 school districts are different and have their own challenges, Chandler says.

Federal Way schools, for example, have to accommodate 30 different languages, he notes.

“Small changes can have dramatic impacts on the average school district,” says Chandler.

He admits the legislature has taken actions in past years that have hurt lawmakers’ connection with educators.

During 2009-11, for example, Chandler recalled how the legislature aggravated the issue during the recession by reducing state K-12 spending and having school districts backfill the budget hole through their own local levies.

And, he says teachers have a valid concern about how the legislature changes student graduation requirements seemingly every biennium. “I think that’s a legitimate complaint,” he says.

As lawmakers wait and see what proposals House and Senate leadership work out for education funding, Chandler says he and his colleagues need to keep the top priority in mind – whether or not they agree with the court.

“What I’m urging members (of the state legislature) to do is to focus on what’s best for students and what moves the ball forward,” he says.

The Sunnyside School District agrees.

“We hope that the state legislature can quickly resolve this issue by approving a plan to fairly and equitably fund basic education to support the success of all of Washington’s students and staff,” said Curtis Campbell, the district’s spokesperson.